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4 Attorneys for Debtors

5 UNITED STATES BANKRUPTCY COURT  
6 NORTHERN DISTRICT OF CALIFORNIA

7  
8 IN RE: CASE No. 17-10828 WJL

9 FLOYD E. SQUIRES, III and CHAPTER 11  
BETTY J. SQUIRES,

10 Debtors. / APPLICATION TO EMPLOY  
11 SPECIAL COUNSEL; DECLARATION  
OF BRADFORD C. FLOYD

12 TO: THE HONORABLE WILLIAM J. LAFFERTY, UNITED STATES  
13 BANKRUPTCY COURT JUDGE:

14 David N. Chandler, Attorney for Debtors, makes ex-parte  
15 application for an Order approving retention of Bradford C. Floyd as  
16 Special Counsel pursuant to 11 U.S.C. Section 327 and represents as  
17 follows:

18 1. Applicants are the Debtors in the above-captioned Chapter  
19 11 proceeding.

20 2. The Debtors require Special Counsel to assist in a state  
21 court action pending in Humboldt County Superior Court entitled *City*  
22 *of Eureka, et al. v. Floyd Squires, et al.* - DR110040 ("Action")  
23 wherein the Debtors are Defendants.

24 3. Pursuant to an Interim Ruling entered on July 2, 2013, a  
25 Receiver (Jeff Smith) was appointed with powers related to  
26 supervision of remedial action required to bring the subject  
27 properties into compliance with applicable building and safety  
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1 codes. Some work remains.

2 4. Prior to the Debtors' bankruptcy petition filing on  
3 November 8, 2017, the Debtors were represented by the Floyd Law Firm  
4 in the Action.

5 5. Bradford C. Floyd, Senior Partner at Floyd Law Firm,  
6 previously represented the Debtors in the relevant matters as stated  
7 in his Declaration filed herewith.

8 6. The Debtors believe it is in their best interest to have  
9 Bradford C. Floyd, Floyd Law Firm, continue representing their  
10 interest in the Action.

11 7. The continued representation by Bradford C. Floyd, Floyd  
12 Law Firm is desired because attorney Bradford C. Floyd is a  
13 litigation attorney with experience in Civil matters and has  
14 represented the Debtors in the Action since the Debtors were served,  
15 and is familiar with the factual and legal issues in the Action.

16 8. It is necessary that the Debtor employ this attorney under  
17 a general fee agreement based on time and standard billable charges.

18 9. Applicant is informed that Bradford C. Floyd, Floyd Law  
19 Firm charges \$375 per hour for Senior Partner time, \$300 per hour  
20 for Junior Partner time and \$130 per hour for paralegal time for  
21 legal services. Bradford C. Floyd, Floyd Law Firm agreed to accept  
22 the matter upon execution of a general fee agreement and the Court  
23 authorizing his employment. Approval for Mr. Floyd's fees will be  
24 sought by separate application.

25 10. Bradford C. Floyd, Floyd Law Firm, indicated his  
26 willingness to act on the Debtors' behalf and to be compensated in  
27 accordance with the terms and conditions set forth in Paragraph 9  
28 hereof.

11. To the best of Applicant's knowledge, Bradford C. Floyd does not have any connection with the Debtors, their creditors or any other party in interest, or their respective attorneys or accountants, the United States Trustee or any person employed in the Office of the United States Trustee and represents no interest adverse to the Debtors in the matters upon which he is to be retained, except as may be represented in the affidavit filed herewith.

12. The Debtors believe that Floyd Law Firm and its partners, do not hold or represent any interest adverse to that of the Trustee or the Debtors' estate and that said law firm is a disinterested person with the meaning of 11 U.S.C., §101(13) for the purposes of their employment as special counsel in the Action.

WHEREFORE, the Debtors request that they be authorized to employ Bradford C. Floyd, Floyd Law Firm to render the services described in this application pursuant to, and under a general fee agreement, on the terms and conditions recited above.

Dated: 1/18/18

DAVID N. CHANDLER, p.c.

By: /s/ David N. Chandler

DAVID N. CHANDLER,  
Attorney for Debtors

AFFIDAVIT OF BRADFORD C. FLOYD IN SUPPORT OF  
APPLICATION FOR ORDER AUTHORIZING DEBTOR TO  
EMPLOY ATTORNEY UNDER GENERAL FEE AGREEMENT

BRADFORD C. FLOYD, being duly sworn, deposes and says:

1. I am an attorney with an office located at 819 7th St,  
Eureka, California.

2. I am the beneficiary of two Deed of Trusts describing

1 property of the estate, to wit, 1429 Sunny Ave., Eureka and 2535 L  
2 St., Eureka. Said Deeds of Trust secure a balance of approximately  
3 \$335,000. The Debtors are also indebted to me for unpaid fees and  
4 expenses relating to the litigation with the City of Eureka in the  
5 approximate amount of \$516,475. I am clear that Mr. Chandler will  
6 handle all matters associated with such claims and interests on  
7 behalf of the Debtors and the estate which relate to me.

8 3. Insofar as I have been able to ascertain, neither I, nor  
9 any employee of my office has any connection with the Debtors  
10 herein, their creditors, or any other party in interest or their  
11 respective attorneys and accountants, the United States Trustee or  
12 any person employed in the Office of the United States Trustee, and  
13 have no interest which is adverse to my representation of the  
14 Debtors herein other than as set forth above.

15 4. Based on the foregoing, I am a disinterested person within  
16 the meaning of Sections 101(14) and 327 of the Bankruptcy Code.

17 5. My Firm charges \$375 per hour for Senior Partner time, \$300  
18 per hour for Junior Partner time and \$130 per hour for paralegal  
19 time for legal services.

20 6. I advised the Debtors that I am willing to serve as their  
21 attorney under a general fee agreement based on time and standard  
22 billable charges. I agreed to accept the matter upon the Debtors  
23 execution of a general fee agreement and the Court authorizing my  
24 employment. Approval for my fees will be sought by separate  
25 application.

26 Dated: 1/11/18

/s/ Bradford C. Floyd  
BRADFORD C. FLOYD

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On January 18, 2018, I served a copy of the following documents: APPLICATION TO EMPLOY SPECIAL COUNSEL; DECLARATION OF BRADFORD C. FLOYD and (PROPOSED) ORDER AUTHORIZING EMPLOYMENT OF SPECIAL COUNSEL on the interested parties in said action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States post office mail box at Santa Rosa, California, addressed as follows:

Office of the United States Trustee  
Attn: Jared A. Day  
300 Booth Street, Suite 3009  
Reno, NV 89509

Executed on January 18, 2018, Santa Rosa, California.

/s/ Jane F. Kamas  
JANE F. KAMAS